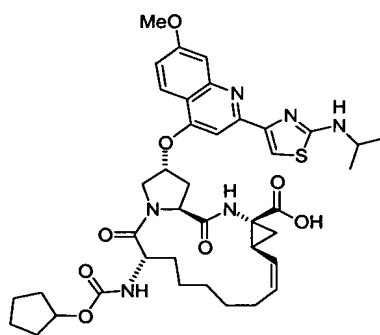


Amendments to the Claims

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims:

1. (original) A crystalline phase of the following Compound (1):



(1)

having an X-ray powder diffraction pattern having at least a characteristic peak at 6.9 degrees 2θ (± 0.4 degrees 2θ) measured using $\text{CuK}\alpha$ radiation, wherein all other peaks in the pattern have less than 75% intensity relative to the peak at 6.9 degrees 2θ (± 0.4 degrees 2θ).

2. (original) A crystalline phase of Compound (1) according to claim 1, wherein the crystalline phase further exhibits characteristic peaks at least at 20.9 and 22.7 degrees 2θ (± 0.4 degrees 2θ) measured using $\text{CuK}\alpha$ radiation.
3. (original) A crystalline phase of Compound (1) according to claim 1, wherein the crystalline phase further exhibits characteristic peaks at least at 16.1, 16.7, 20.9 and 22.7 degrees 2θ (± 0.4 degrees 2θ) measured using $\text{CuK}\alpha$ radiation.
4. (original) A crystalline phase of Compound (1) according to claim 1, wherein the crystalline phase further exhibits characteristic peaks at least at 8.0, 12.5, 13.9, 14.9, 16.1, 16.7, 17.5, 20.9, 22.7 and 24.1 degrees 2θ (± 0.4 degrees 2θ) measured using $\text{CuK}\alpha$ radiation.

AMENDMENT

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5. (original) A crystalline phase of Compound (1) according to claim 1, wherein the crystalline phase exhibits an X-ray powder diffraction pattern substantially the same as that shown in Figure 1 at a relative humidity level of about 30% .
6. (original) A crystalline phase of Compound (1) according to claim 1, wherein the crystalline phase exhibits an X-ray powder diffraction pattern substantially the same as that shown in Figure 2 at a relative humidity level of about 85%.
7. (original) A crystalline phase of Compound (1) according to claim 1, wherein the crystalline phase has a water adsorption/desorption isotherm substantially the same as that shown in Figure 3 at 25 °C.
8. (original) A crystalline phase of Compound (1) according to claim 1, wherein the crystalline phase has DSC thermal curve substantially the same as that shown in Figure 4 at a heating rate of 10 °C per minute.
9. (original) A crystalline phase of Compound (1) according to claim 1, wherein the crystalline phase has DSC thermal curve substantially the same as that shown in Figure 5 at a heating rate of 10 °C per minute.
10. (currently amended) A process for preparing a crystalline phase of Compound (1) according to claim 1, said process comprising the following steps (i) and either (ii)(a) or (ii)(b):
 - (i) dissolving Compound (1) in an aliphatic alcohol solvent optionally containing water as a co-solvent; and
 - (ii)(a) adding water, or a mixture of water and an aliphatic alcohol, to the solution obtained in step (i) while maintaining the solution at a temperature above about 55 °C; or
 - (ii)(b) adding the solution obtained in step (i) to water, or a mixture of water and an aliphatic alcohol, while maintaining the water, or mixture of water and an aliphatic alcohol, at a temperature above about 55 °C;whereby the crystalline phase of Compound (1) according to claim 1 is formed.

11. (currently amended) A process for preparing a crystalline phase of Compound (1) according to claim 1, said process comprising the following steps:

(i) dissolving or suspending Compound (1) in acetonitrile to form a solution or slurry;

(ii) optionally seeding the solution or slurry obtained in step (i) with Type A;

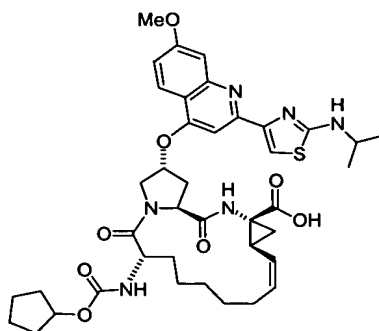
(iii) heating the solution or slurry to a temperature of at least about 75 °C;

(iv) adding water to the heated solution or slurry obtained in step (iii) while maintaining the solution or slurry at a temperature of at least about 75 °C to obtain a solution or slurry having a water content of about 3 to 5 weight percent; and

(v) slowly cooling the solution or slurry obtained in step (iv);

whereby the crystalline phase of Compound (1) according to claim 1 is formed.

12. (currently amended) A crystalline phase of the following Compound (1)



(1)

prepared by a process comprising the following steps (i) and either (ii)(a) or (ii)(b):

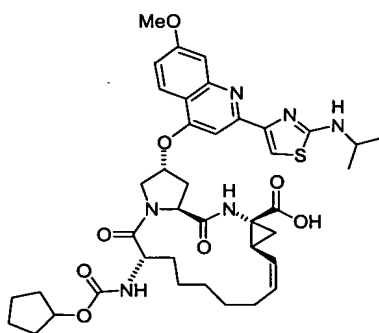
(i) dissolving Compound (1) in an aliphatic alcohol solvent optionally containing water as a co-solvent; and

(ii)(a) adding water, or a mixture of water and an aliphatic alcohol, to the solution obtained in step (i) while maintaining the solution at a temperature above about 55 °C; or

(ii)(b) adding the solution obtained in step (i) to water, or a mixture of water and an aliphatic alcohol, while maintaining the water, or mixture of water and an aliphatic alcohol, at a temperature above about 55 °C;

whereby the crystalline phase of Compound (1) is formed.

13. (currently amended) A crystalline phase of the following Compound (1)



(1)

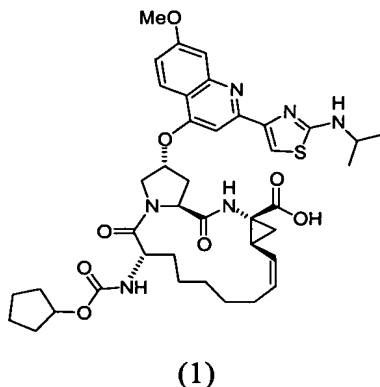
prepared by a process comprising the following steps:

- (i) dissolving or suspending Compound (1) in acetonitrile to form a solution or slurry;
- (ii) optionally seeding the solution or slurry obtained in step (i) with Type A;
- (iii) heating the solution or slurry to a temperature of at least about 75 °C;

(iv) adding water to the heated solution or slurry obtained in step (iii) while maintaining the solution or slurry at a temperature of at least about 75 °C to obtain a solution or slurry having a water content of about 3 to 5 weight percent; and

(v) slowly cooling the solution or slurry obtained in step (iv);
whereby the crystalline phase of Compound (1) is formed.

14. (original) A crystalline phase of the following Compound (1):



having an X-ray powder diffraction pattern having at least a characteristic peak at 5.4 degrees 2θ (± 0.2 degrees 2θ) measured using $\text{CuK}\alpha$ radiation at a relative humidity level of about 20% to 40%, and at a temperature of about 20 to 25 °C.

15. (currently amended) A crystalline phase of Compound (1) according to claim 14, wherein the crystalline phase further exhibits characteristic peaks at least ~~peaks~~ at 6.7 and 10.9 degrees 2θ (± 0.2 degrees 2θ) measured using $\text{CuK}\alpha$ radiation at a relative humidity level in the range of about 20% to 40%, and at a temperature of about 20 to 25 °C.

16. (original) A crystalline phase of Compound (1) according to claim 14, wherein the crystalline phase further exhibits characteristic peaks at least at 6.7, 10.9, 11.6 and 20.9 degrees 2θ (± 0.2 degrees 2θ) measured using $\text{CuK}\alpha$ radiation at a relative humidity level in the range of about 20% to 40% and at a temperature of about 20 to 25 °C.

17. (original) A crystalline phase of Compound (1) according to claim 14, wherein the crystalline phase exhibits characteristic peaks at least at 5.4, 6.7, 9.4, 10.3, 10.9, 11.6, 13.2 and 20.9 degrees 2θ (± 0.2 degrees 2θ) measured using $\text{CuK}\alpha$ radiation at a relative humidity level in the range of about 20% to 40% and at a temperature of about 20 to 25 °C.

18. (original) A crystalline phase of Compound (1) according to claim 14, wherein the crystalline phase exhibits an X-ray powder diffraction pattern substantially the same as that shown in Figure 6 at a relative humidity of about 30% .

19. (original) A crystalline phase of Compound (1) according to claim 14, wherein the crystalline phase has a water adsorption/desorption isotherm substantially the same as that shown in Figure 7 at 25 °C.

20. (currently amended) A process for preparing a crystalline phase of Compound (1) according to claim 14, said process comprising:

- (i) dissolving Compound (1) in a suitable solvent by heating a mixture of Compound (1) and the solvent; and
- (ii) cooling the solution obtained in step (i);

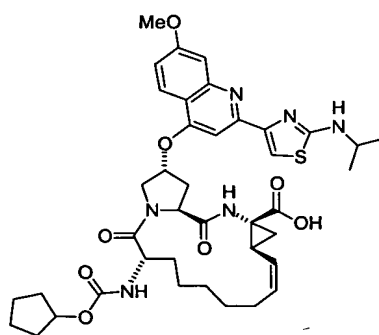
whereby the crystalline phase of Compound (1) according to claim 14 is formed.

21. (currently amended) A process for preparing a crystalline phase of Compound (1) according to claim 14, said process comprising:

- (i) dissolving Compound (1) in an aliphatic alcohol solvent; and
- (ii) evaporating the aliphatic alcohol solvent from the solution obtained in step (i);

whereby the crystalline phase of Compound (1) according to claim 14 is formed.

22. (currently amended) A crystalline phase of the following Compound (1):



(1)

prepared by a process comprising the following steps (i) and (ii), or steps (i)(a) and (ii)(a):

- (i) dissolving Compound (1) in a suitable solvent by heating a mixture of Compound (1) and the solvent; and

(ii) cooling the solution obtained in step (i); or

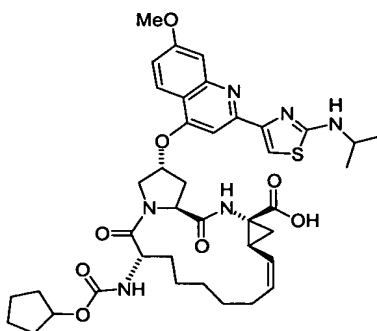
(i)(a) dissolving Compound (1) in an aliphatic alcohol solvent; and

(ii)(a) evaporating the aliphatic alcohol solvent from the solution obtained in step (i);

whereby the crystalline phase of Compound (1) is formed.

23. (currently amended) A mixture comprising two or more a crystalline phases of Compound (1) according to claims 1, 12, ~~or 13,~~ and ~~a crystalline phase of Compound (1)~~ according to ~~claim~~ 14 or 22.

24. (original) The following Compound (1):



(1)

wherein at least 50% of said Compound (1) is present in the form of a crystalline phase of Compound (1) according to claim 1, 12, 13, 14 or 22, or a mixture thereof.

25. (original) A pharmaceutical composition comprising a crystalline phase of Compound (1) according to claim 1, 12, 13, 14 or 22, or a mixture thereof, and at least one pharmaceutically acceptable carrier or diluent.

26. (original) A method of treating HCV infection in a mammal comprising administering to said mammal a therapeutically effective amount of a crystalline phase of Compound (1) according to claim 1, 12, 13, 14 or 22, or a mixture thereof.